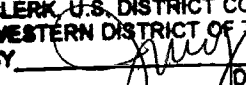


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

**FILED**

**NOV 15 2012**

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY  DEPUTY

MIKE BENAVIDES, VICTORIA §  
BRANNING, WALTER BRANNING, §  
KURTIS BROWN, THOMAS BRYAN, §  
PETE DIDONATO, SUSAN ERWIN, §  
BRYAN FITZPATRICK, CATHERINE §  
GERAC, CAROL PIERCE, COREY §  
RICKETSON, TEMPLE THOMAS, §  
GARY WADHAM, GREGORY WELLER, §  
DANI WINKLER, MICHAEL WRIGHT, §  
GLENN ANDERSON, PAUL ALVAREZ, §  
JANELLE BOONE, MICHAEL §  
BROADWATER, JOHNNIE HALL, §  
ERIC JAKUBAUSKAS, MARK §  
KARONIKA, DAVID LINDSLEY, §  
JASON MARTIN, MARK §  
MONTGOMERY, GLEN WOSKY, §  
MICHAEL WRIGHT, AMELIA ZAPATA, §  
LANDON WILLHOITE, AND EDWARD §  
JOHNS, §

PLAINTIFFS, §

V. §

CAUSE NO. A-11-CV-438-LY

CITY OF AUSTIN, §

DEFENDANT. §

**VERDICT FORM**

**QUESTION ONE**

Do you find, by a preponderance of the evidence, that Plaintiffs who serve as Field Commanders are paid on a salary basis?

Please answer "Yes" or "No."

Answer: NO

**QUESTION TWO**

Do you find, by a preponderance of the evidence, that the primary duty of Plaintiffs who serve as Field Commanders is:

(a) Management of Austin-Travis County Emergency Medical Service or a department or subdivision thereof; or

(b) Office or nonmanual work directly related to the management or general business operations of Austin-Travis County Emergency Medical Service or its customers; or

(c) A combination of (a) and (b)?

Please answer "Yes" or "No."

Answer: yes

**QUESTION THREE**

Do you find, by a preponderance of the evidence, that Plaintiffs who serve as Field Commanders have the authority to make suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees that are given particular weight?

Please answer "Yes" or "No."

Answer: \_\_\_\_\_

YES

**QUESTION FOUR**

Do you find, by a preponderance of the evidence, that primary duty of Plaintiffs who serve as Field Commanders includes the exercise of discretion and independent judgment with respect to matters of significance?

Please answer "Yes" or "No."

Answer: yes

**QUESTION FIVE**

Do you find, by a preponderance of the evidence, that Plaintiff Scott Lindsley is paid on a salary basis?

Please answer "Yes" or "No."

Answer: NO

**QUESTION SIX**

Do you find, by a preponderance of the evidence, that the primary duty of Plaintiff Scott Lindsley is office or nonmanual work directly related to the management or general business operations of Austin-Travis County Emergency Medical Service or its customers?

Please answer "Yes" or "No."

Answer: yes

**QUESTION SEVEN**

Do you find, by a preponderance of the evidence, that Plaintiff Scott Lindsley's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance?

Please answer "Yes" or "No."

Answer: yes

We, the jury, unanimously answered the preceding questions by the preponderance of the evidence, as instructed.

Submitted the 15 day of November, 2012 at 7 o'clock 29 p.m.

ORIGINAL SIGNATURE  
- REDACTED PURSUANT TO  
E-GOVERNMENT ACT OF 2002  
PRESIDING JUROR